

Members

Rep. Vanessa Summers, Chairperson
Rep. Dennis Tyler
Rep. Cleo Duncan
Rep. Phil Hinkle
Sen. Gary Dillon
Sen. Ed Charbonneau
Sen. Connie Sipes
Sen. Sue Errington
Hugh Beebe
Dr. Gladys Beale
Michael Carmin
John E. Taylor
Dave Becker
Robin Murphy



INDIANA COMMISSION ON AUTISM

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MEETING MINUTES¹

Meeting Date: October 27, 2008
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 404
Meeting City: Indianapolis, Indiana
Meeting Number: 4

Members Present: Rep. Vanessa Summers, Chairwoman; Rep. Dennis Tyler; Rep. Cleo Duncan; Rep. Phil Hinkle; Sen. Connie Sipes; Sen. Sue Errington; Robin Murphy.

Members Absent: Sen. Gary Dillon; Sen. Ed Charbonneau; Hugh Beebe; Dr. Gladys Beale; Michael Carmin; John E. Taylor; Dave Becker.

At 1:05 P.M. Representative Vanessa Summers, Chairwoman, called the fourth meeting of the Indiana Commission on Autism (ICOA) to order. She recognized Representative Duncan to speak.

Representative Duncan discussed the reasoning behind asking the Commissioner of the Department of Insurance to testify at meeting number four.

Mr. Jim Atterholt, Commissioner, Indiana Department of Insurance (IDOI), then testified about his experience with Indiana's insurance mandate. He said his experience with the mandate began as a member of the Indiana House of Representatives. He stated he supported the mandate at the time of its adoption. He stated that in the beginning of the mandate, persons had a hard time figuring out whom the mandate covered. Secondly, he said insurance providers had a hard time understanding what the mandate required of them. He said that he worked with Representative Fry and Senator Gard during the legislative process.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Commissioner Atterholt distributed an IDOI information bulletin (#136) and an article from the October 21, 2008, edition of the *Indianapolis Star* (Exhibits A and B, respectively). He discussed both exhibits. The Commissioner concluded his comments by saying Indiana has one of the more progressive insurance mandates in the United States. He then introduced fellow staff members: Ms. Carol Mihalik and Ms. Carol Cutter from the IDOI to speak further.

Ms. Carol Mihalik, Chief Deputy Commissioner of the IDOI, testified about claims made against the insurance providers, the steps taken by the IDOI to investigate claims, and actions and remedies at the IDOI's disposal.

She said the IDOI tries to work with provider companies through discussions. She continued that with many companies, discussions have achieved good results. She said one company has been reprimanded. However, she did not specify the particular reason.

Ms. Mihalik said the IDOI's remedies include examination of a provider, making a charge against the provider, encouraging a change in behavior by the provider, and (if egregious) fining the provider. She said that, to date, the IDOI has not had to fine an insurance provider.

Chairwoman Summers asked if the IDOI had an advertising budget for its claims division.

Ms. Mihalik responded that it did not. However, she said the IDOI has met with many active consumers as a result of claims filed.

Dr. Robert Marra, Assistant Superintendent of the Division of Exceptional Learners, Indiana Department of Education (IDOE) provided data on students with autism. He said that as of December 2007, the IDOE had counted 9,236 students (aged 3-21) with autism in public schools in Indiana. Dr. Marra said the incidence of students with autism was "less than one-percent", or 0.88%. He then provided breakdowns of the students by placement.

- Approximately 4,200 were in general education, or 46% of the total.
- Approximately 2,900 were self-contained (in special education room for most of the day) or 32% of the total.
- Approximately 1,500 were in resource room, or 16.3% of the total.
- 191 were in a separate facility, or 2% of the total.
- 66, or 0.7%, were in residential settings.
- 255, or 2.7%, were in nonpublic schools. Dr. Marra stated public schools are responsible for serving children with autism in nonpublic schools.
- about 45, or 0.4%, were hospital/homebound.

Dr. Robert Marra then provided some educational completion percentages for a group of 447 students with autism in general education.

- 39% graduated with a diploma (counted in the high school graduation rate).
- 18% finished with a certificate (not counted in the high school graduation rate).
- 2.9% reached the age limit.
- 0.4% passed away.
- 31% transferred to other schools.
- 4.6% dropped out.
- 3.0% returned to regular education.
- 1.1% rounding error.

Senator Sipes asked if the graduation and dropout rates are related.

Mr. Joel Hand, Legislative Liaison for the IDOE, said that there was no dropout rate maintained

in Indiana. He said the graduation rate does not necessarily equate to a dropout rate by flipping the rate percentage.

Senator Sipes confirmed with Mr. Hand that the rates are not related.

Mr. Hand answered that Senator Sipes was correct and the rates were not related.

Senator Sipes asked if a student is not on the diploma track are they still in their cohort.

Mr. Hand answered yes. He said the IDOE also reports in a pie-chart-style presentation those students with certification, GED, and other completion types.

Senator Sipes then said she did not like how the state calculates the graduation rate.

In response to a question about autism student funding from Representative Hinkle, Dr. Marra replied state funding for autism students is \$72 M currently.

Dr. Robin Murphy, member, then commented that everyone that comes into contact with a student with autism must have responder training. She said support staff, in particular cafeteria and school bus employees, as a whole, exhibit a huge lack of training with respect to autism treatment or response. She continued that according to law, the support staff should have been trained. She said it does not occur on a widespread basis. She said it is difficult to get paid-by-the-hour paramedics to instruct classes. She said paramedics may not go to a school outside of their scheduled work day.

Dr. Marra replied that if the funding were provided, the IDOE would be in favor of making sure training occurred. He gave examples of a couple of situations where the familiarity of autism from training would be useful. He said, in one example, an off-duty police officer maced a student with autism at a smorgasbord restaurant because the student was making what appeared to be violent movement toward another person, when in fact it was a normal physical motion for the student to make.

Representative Hinkle asked if there was a breakdown in the data by school district.

Dr. Marra replied that there was. He said the data could be provided by rural, suburban, and urban school districts. He said he could get the data to LSA staff.

Chairwoman Summers then elected to review preliminary drafts 3440, 3441, and 3405 (Exhibits C, D, and E, respectively). She said that, although they would be introduced into the next General Assembly and carried by her as author, there was not a quorum present in order to officially adopt the drafts. She said this would prevent the ICOA name from being included in the drafts for endorsement purposes.

She said she would have coauthors on the drafts, including Representatives Tyler, Duncan, and Hinkle.

Chairwoman Summers also indicated, that due to the lack of a quorum, a final report for the ICOA's efforts during the interim could not be adopted.

Representative Tyler wished for the minutes to reflect a correction in the prior minutes that his suggested training plan could be conducted within the eight hours of training that first-responders already receive. He suggested that training could be completed within an hour's time, instead of in eight hours as the prior minutes suggest. (Please refer to page two, paragraph eight, line two, of the minutes dated "October 8, 2008".)

Senator Sipes asked if she could have Ms. Murphy's ideas drafted into a bill. Chairwoman Summers said she was fine with that idea and to proceed.

Chairwoman Summers adjourned the meeting at 2:00 P.M.